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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Ajay Suresh,

10 Plaintiff,

11 v.

12 Schola Incorporated,

13 Defendant.
14

No. CV-24-02173-PHX-KML

ORDER

15 Plaintiff Ajay Suresh filed this copyright action on August 23, 2024. (Doc. 1.) The
16 court entered an order directing the Clerk of Court to dismiss this case on November 29,
17 2024, if Suresh had not filed proof of service by that date. Suresh did not file proof of
18 service by the deadline. On December 4, 2024, the Clerk of Court dismissed the case. (Doc.
19 11.) On December 11, 2024, Suresh filed a “motion to reinstate.” (Doc. 13.) That motion
20 claims defendant Schola, Inc., was served on November 20, 2024. (Doc. 13 at 2.) Suresh
21 states an “oversight in the course of diligent efforts to effectuate service” resulted in the
22 proof of service not being filed. (Doc. 13 at 2.)

23 Service of process may have been accomplished before the deadline, plaintiff filed
24 his motion one week after the case was closed, and the case was filed not long ago.
25 Therefore, reopening is merited. *See Allstate Ins. Co. v. Herron*, 634 F.3d 1101, 1111 (9th
26 Cir. 2011) (noting “district court enjoys considerable discretion in granting or denying” a
27 motion to amend the judgment).

28 Accordingly,

